

### **Amendments to the Claims**

1. (Original) A three-dimensional structure element comprising:  
a substrate; and  
three-dimensional structures arranged in a predetermined effective area on the substrate,  
wherein  
the three-dimensional structures have space portions which are formed by removing a  
sacrificial layer, between the three-dimensional structures and the substrate, and  
on the substrate, a dummy area is arranged to surround the effective area, dummy  
structures are arranged in the dummy area, and the dummy structures have space portions, which  
are formed by removing a sacrificial layer, between the dummy structures and the substrate.
2. (Original) A three-dimensional structure element according to claim 1, wherein a  
portion of the dummy structures opposed to the substrate is formed in a same shape as the three-  
dimensional structures.
3. (Original) A three-dimensional structure element according to claim 1, wherein the  
dummy structures have columns for fixing at least one section thereof to the substrate.
4. (Original) A three-dimensional structure element according to claim 1, wherein the  
dummy structures have a thin film covering the dummy area and plural columns arranged  
between the thin film and the substrate.
5. (Original) An optical switch comprising:  
an optical waveguide substrate; and  
a three-dimensional element substrate including displaceable reflecting mirrors, wherein  
the three-dimensional structure element substrate has a substrate and three-dimensional  
structures arranged in a predetermined effective area on the substrate,  
the three-dimensional structures include the reflecting mirrors and displacement portions  
on which the reflecting mirrors are placed, and the displacement portions have space portions,

which are formed by removing a sacrificial layer, between the displacement portions and the substrate, and

on the substrate, a dummy area is provided to surround the effective area, dummy structures are arranged in the dummy area, and the dummy structures have space portions, which are formed by removing a sacrificial layer, between the dummy structures and the substrate.

6. (Original) A micro device comprising displaceable thin film three-dimensional structures, wherein

the micro device has a substrate and the thin film three-dimensional structures arranged in a predetermined effective area on the substrate,

the thin film three-dimensional structures have space portions, which are formed by removing a sacrificial layer, between the thin film three-dimensional structures and the substrate, and

on the substrate a dummy area is arranged to surround the effective area, dummy structures made of a thin film are arranged in the dummy area, and the dummy structures have space portions, which are formed by removing a sacrificial layer, between the dummy structures and the substrate.

7. (Original) A method of manufacturing a three-dimensional structure element comprising:

a step of forming a sacrificial layer and predetermined thin film three-dimensional structures in a predetermined effective area on a substrate and forming a sacrificial layer and predetermined thin film dummy structures in a dummy area surrounding the effective area; and

a step of removing the sacrificial layers in the effective area and the dummy area with a dry process.

8. (New) A three-dimensional structure element according to claim 1, wherein:

each of the three-dimensional structures in the effective area comprises a respective portion of a wiring pattern layer associated therewith, the respective portions of the wiring pattern layer being configured to operate the respective three-dimensional structures in the effective area; and

the dummy structures are not associated with the wiring pattern layer.

9. (New) A three-dimensional structure element according to claim 1, wherein each of the three-dimensional structures in the effective area and each of the dummy structures comprises a respective displacement portion.

10. (New) A three-dimensional structure element according to claim 9, wherein:  
each of the displacement portions comprises at least one respective leg coupled to the substrate; and  
each of the displacement portions extends in a cantilever manner from the at least one leg.

11. (New) A three-dimensional structure element according to claim 10, wherein each of the displacement portions in the effective area comprises a respective reflecting mirror situated at an end of the displacement portion.

12. (New) A three-dimensional structure element according to claim 11, wherein each of the displacement portions in the effective area further comprises a respective portion of a wiring pattern layer situated on the substrate below the respective reflecting mirror.

13. (New) A three-dimensional structure element according to claim 10, wherein:  
each of the displacement portions comprises two legs coupled to the substrate; and  
each of the displacement portions extends in a cantilever manner from the respective legs.